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8 Attorneys for Defendant

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 COMMONWEALTH OF MASSACHUSETTS;  
14 PEOPLE OF THE STATE OF CALIFORNIA ex rel.  
Xavier Becerra, Attorney General of California; STATE  
15 OF COLORADO; STATE OF CONNECTICUT; STATE  
OF DELAWARE; DISTRICT OF COLUMBIA; STATE  
16 OF HAWAII; PEOPLE OF THE STATE OF ILLINOIS;  
STATE OF MAINE; STATE OF MARYLAND;  
17 ATTORNEY GENERAL DANA NESSEL on behalf of  
the PEOPLE OF MICHIGAN; STATE OF  
18 MINNESOTA by and through Attorney General Keith  
Ellison; STATE OF NEVADA; STATE OF NEW  
19 JERSEY; STATE OF NEW MEXICO; STATE OF NEW  
YORK; STATE OF NORTH CAROLINA ex rel.  
20 Attorney General Joshua H. Stein; STATE OF  
OREGON; COMMONWEALTH OF  
21 PENNSYLVANIA; STATE OF RHODE ISLAND;  
STATE OF VERMONT; COMMONWEALTH OF  
22 VIRGINIA ex rel. Attorney General Mark R. Herring;  
STATE OF WISCONSIN,

23 Plaintiffs,

24 v.

25 PHIL ROSENFELT, in his official capacity as Acting  
26 Secretary of Education; and UNITED STATES  
DEPARTMENT OF EDUCATION,

27 Defendants.  
28

CASE NO. 4:20-cv-04717 SBA

**DECLARATION IN SUPPORT OF  
JOINT STIPULATION TO CONTINUE  
DEADLINE FOR REPLY, AND SET  
CASE MANAGEMENT CONFERENCE,**

1  
2 I, J. Wesley Samples, declare as follows:

3 1. I am an Assistant United States Attorney and represent the Defendants in the above captioned  
4 matter. I am a member in good standing of the State Bar of California. The Matters stated in this  
5 declaration are true of my own knowledge, and if necessary, I could and would competently testify to  
6 them.

7 2. In the Joint Stipulation Plaintiffs and Defendants jointly request to set a Case Management  
8 Conference for Wednesday, March 24, 2021, with a Joint Case Management Statement to be filed on or  
9 before Wednesday, March 17, 2021.

10 3. In the Joint Stipulation Plaintiffs and Defendants also jointly request to continue the deadline for  
11 Defendant's Reply, which is presently due on January 27, 2021.

12 4. The Parties are requesting these changes to accommodate the appointment, and as necessary, the  
13 confirmation process, for the appointees of the new administration, so that the U.S. Department of  
14 Education may set its position on the barrower defense regulation at issue in this case.

15 5. This is the third request to modify the schedule in this case, and this request will not impact any  
16 deadlines other than those indicated herein.

17  
18 I declare under penalty of perjury under the laws of the United States that the above is true and  
19 accurate. Executed with 25th day of January , 2021, in San Francisco, CA.

20  
21 DATED: January 25, 2021

Respectfully submitted,

22 /s/ J. Wesley Samples  
23 J. WESLEY SAMPLES  
24 Assistant United States Attorney

25 Attorneys for Defendant  
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